

## **REMARKS**

### **Claim Objections**

Claims 4-8 have been objected to as being in improper form. Claim 4 has been cancelled herein. Claims 5-8 have been amended to correct the improper form and, as amended, are in condition for examination. No new matter has been added.

Claim 2 has been objected to provisionally as being a duplicate of claim 1 from which it depends. Claim 2 has been amended to recite that the tread surface is configured having a preferred mounting orientation defining an innermost tread surface edge and an outermost tread surface edge and the at least one broad width groove is located further outside the tire equator toward the tread surface outermost tread edge in the preferred mounting orientation. Claim 2 as amended is thus not duplicative of claim 1. The amendment to claim 2 is fully supported by claim 2 as originally filed, the specification, and the drawings in teaching a preferred mounting orientation of the tread surface relative to a vehicle. As such, the amendment to claim 2 does not constitute the addition of new matter.

### **35 U.S.C. §112, second paragraph**

Claims 1-3 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 has been amended in line 8 to refer to the narrow width grooves are disposed on each side of at least one of the broad width grooves (plural), whereby making this portion of claim 1 consistent with the recitation of broad width grooves in line 3.

35 U.S.C. § 102

Claims 1-3 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Japan 110 (JP 7-172110). This rejection is respectfully traversed for the following reasons.

In order for the rejection to be proper, Japan '110 must show each and every limitation found in claims 1-3. Such is not the case.

Specifically, Japan '110 does not teach or describe a tread surface in which narrow width grooves are disposed on each side of a broad width groove so as to form an inner rib (without siping, slots or other notches) of smaller width on the tire equator side and an outer rib (without siping, slots or other notches) of larger width on a tread grounding side as required in claim 1. Japan '110 in FIG. 5 teaches inner and outer ribs 3,4 that are without siping, slots or other notches. However, such ribs are of a common width. Therefore, such ribs fail to meet the subject claim limitations. Likewise, FIG. 2 of Japan '110 the ribs in the tread surface fail to meet the claim limitations in view of lug slots 8. Moreover, the Japan '110 ribs in FIG. 2 do not meet the limitation that narrow width grooves are disposed on each side of one broad width groove so as to form an inner rib of smaller width and outer rib of larger width. The FIG. 1 embodiment of Japan '110 likewise fails to teach or suggest the claim limitations of Claim 1 inasmuch as the FIG. 1 embodiment is merely a notched rib version of FIG. 5.

Nor does the cited reference Europe 365 (EP 654365) teach or suggest the limitations of claim 1 and its dependent claims. Europe 365 likewise does not show inner and outer ribs without siping, slots or other notches, nor an inner rib on an equator side of smaller width than an outer rib and the inner and outer ribs bounded by a larger width groove therebetween.

Newly submitted claim 9, is further considered patentably distinct over the cited art in reciting an inclination angle  $\theta_1$  of a groove wall on the tread grounding end side with respect to a normal line of the tread surface is larger than an inclination angle  $\theta_2$  of a groove wall on

the tire equator side with respect to the normal line. Such structure is not found or suggested by either Japan 110 or Europe 365.

As to claim 2, the tread therein is recited as configured having a preferred mounting surface in which the broad width groove defined in claim 1 is located further outside the tire equator toward the outer tread surface edge in the preferred mounting orientation. Such an orientation is neither found nor suggested in the cited art.

As to claim 3, the inner and outer ribs (defined as having differing widths in claim 1) are claimed to have widths within a specified range. The Japan 110 reference, as the Examiner notes, teaches ribs of a common width (singular) (“e.g. 7%”) that does not meet the limitations of the independent claim.

As to claim 5, claim 5 is considered patentable for at least the reasons set forth in regard to the independent claim from which it depends. In addition, the recitation of different inclination angles defining groove walls on respective equator and tread edge sides is not deemed to be present or suggested in the cited art.

Claim 6 is considered patentable over the cited art for at least the reasons set forth in regard to the independent claim from which it depends. In addition, claim 6 claims lateral grooves in an outer rib between the broad width groove and the tread grounding edge with grooves within a prescribed range of widths and lateral grooves having a groove width in a prescribed range at intervals between the narrow groove and the tread grounding end; structure not present nor suggested in the cited art.

Claim 7 is considered patentable for at least the reasons set forth in regard to the independent claim from which it depends. In addition, claim 7 claims a buttress region further outside than 55% of the tread grounding width from the tire equator and further inside than 65% thereof. The buttress region further is formed having no grooves or notches extending obliquely. Such structure is not present nor suggested in the cited art.

Claim 8 claims the subject tread surface as a non-symmetric pattern in which the broad width grooves among the peripherally directed grooves is the largest. Such a limitation coupled with the limitations of claims 1 or 2 from which claim 8 alternatively depend, are considered patentable over the cited art.

Claim 9, as discussed above, recites an inclination angle  $\theta_1$  of a groove wall on the tread grounding end side with respect to a normal line of the tread surface as being larger than an inclination angle  $\theta_2$  of a groove wall on the tire equator side with respect to the normal line. Such a limitation in a tread surface as defined in claim 9 is neither present nor suggested in the cited art.

As Japan 110 fails to anticipate the invention as recited in claims 1-3, and 5-9, it is respectfully requested that this rejection be withdrawn.

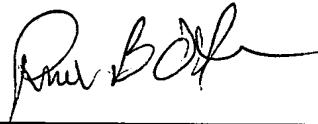
35 U.S.C. § 103

Claims 1-3 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan 110 in view of Europe 365 (EP 654365). This rejection is respectfully traversed for the at least the reasons set forth above that point out the claimed structure that differentiates over either Japan 110 or Europe 365, whether such references be considered singularly or in combination. While the references teach a tread surface having narrower and wider grooves, the recited use of such ribs to form inner and outer ribs of differing widths (claim 1) or the construction of such grooves having groove walls of different angles of inclination (claim 9) is not found or suggested by either reference. The combination thereof would, therefore, not be instructive to one skilled in the art for the purpose of achieving the invention as claimed. No support for the combination in the manner proposed by the Examiner is found in the art and such a combination, even if made, would not find structural teaching in either reference sufficient to meet the elements claimed in the pending claims.

As Japan 110 in view of Europe 365 fails to establish *prima facie* obviousness of the invention as recited in claims 1-3, it is respectfully requested that the rejection be withdrawn.

In light of this amendment, all of the claims now pending in the subject patent application are allowable. Thus, the Examiner is respectfully requested to allow all pending claims.

Respectfully submitted,



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